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12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**

14 ALLAN J. NICOLOW,)	Case No.: 12-cv-05980-CRB
)	
15 Plaintiff ,)	
)	ADMINISTRATIVE MOTION
16 vs.)	TO RELATE CASES
)	
17 HEWLETT-PACKARD COMPANY, et al.,)	
)	
18 Defendants.)	
)	

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ADMINISTRATIVE MOTION TO RELATE CASES

1 Plaintiff in the case of *Kenneth A. Kotyuk v. Hewlett-Packard Company, et al.*, Civil
2 Action No. 13-0301-EJD (filed on January 22, 2013) (the "*Kotyuk Action*") hereby moves for
3 consideration of whether the *Kotyuk Action* is related to this case.

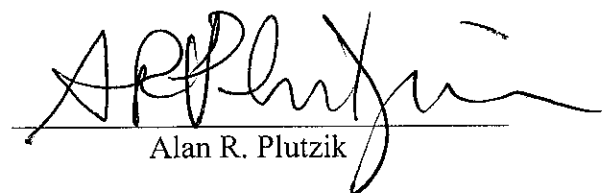
4 Pursuant to Local Rule 3-12(a), the *Kotyuk Action* is related to this case. A copy of the
5 Complaint in the *Kotyuk Action* is attached as Exhibit A to the Declaration of Alan R. Plutzik in
6 Support of Administrative Motion to Relate Cases, filed herewith. The *Kotyuk Action* is a class
7 action brought under ERISA that arises from many of the same events, and involves many of the
8 same parties, as this action. The ERISA claims asserted in the *Kotyuk Action* are very similar to
9 the allegations asserted in two other actions, *Laffen v. Hewlett-Packard Company, Plan*
10 *Committee Investment Review Committee et al.*, No. 12-6199-CRB (the "*Laffen Action*"), and
11 *Lustig v. Whitman et al.*, No. 12-6410-CRB (the "*Lustig Action*"), which have already been
12 related to this case and are before this Court, and involve many of the same parties as those cases.

13 It appears likely that there will be an unduly burdensome duplication of labor and expense
14 or conflicting results if this case is conducted before a different judge than the *Laffen Action*, the
15 *Lustig Action* and this action. Therefore, assignment of a single judge is likely to conserve
16 judicial resources and promote an effective determination of the actions.

17 Dated: January 31, 2013

Respectfully submitted,

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